



Order Filed on May 17, 2019
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Caption in Compliance with D.N.J. LBR 9004-2(c)
48382
Morton & Craig LLC
John R. Morton, Jr., Esq.
110 Marter Avenue
Suite 301
Moorestown, NJ 08057
Attorney for Santander Consumer USA Inc.

In Re:
SANDRA SMITH

Case No.: 19-10185

Adv. No.:

Hearing Date: 4-23-19

Judge: MBK

**ORDER SETTING AMOUNT TO BE PAID THROUGH PLAN AND DIRECTING THE
TRUSTEE TO MAKE ADEQUATE PROTECTION PAYMENTS TO SANTANDER
CONSUMER USA INC.**

The relief set forth on the following pages, numbered two (2) is hereby **ORDERED**.

DATED: May 17, 2019

A handwritten signature in black ink, appearing to read "Michael B. Kaplan".

Honorable Michael B. Kaplan
United States Bankruptcy Judge

SANDRA SMITH

19-10185(MBK)

**Order Setting Amount to be Paid to and Directing the Chapter 13 Trustee to make
Adequate Protection Payments to Santander Consumer USA Inc.**

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This matter having been brought on before this Court on objection to confirmation filed by John R. Morton, Jr., Esq., attorney for Santander Consumer USA Inc., with the appearance of William H. Oliver, Esq. on behalf of the debtor, and this order having been filed with the Court and served upon the debtor and her attorney under the seven day rule with no objections having been received as to the form or entry of the order, and for good cause shown;

IT IS ORDERED:

1. **Amount to be paid to Santander Consumer USA Inc.:** The trustee shall pay Santander Consumer USA Inc. the sum of \$36,140.00 over 60 months (being the net loan balance of \$30,785.00 with interest at 6.5% for 60 months).
2. **Adequate protection payments:** The Chapter 13 Trustee shall make adequate protection payments to Santander Consumer USA Inc. in the amount of \$307 per month.
3. **Commencement and frequency of adequate protection payments:** Adequate protection payments shall be made monthly, each month to Santander Consumer USA Inc. commencing in February of 2019.
4. **Duration of adequate protection payments:** Adequate protection payments shall be made monthly to Santander Consumer USA Inc. until all counsel fees have been paid and regular distributions begin to be made to Santander Consumer USA Inc. If in any month there are insufficient funds on hand to pay both counsel fees and adequate protection payments, then funds on hand shall be used to pay adequate protection payments first, with the remaining balance going to counsel fees. If, after confirmation, counsel fees remain to be paid, then adequate protection payments shall continue to be paid to Santander Consumer USA Inc. until the remaining counsel fees have been paid.
5. **Lien retention:** In accordance with 11 U.S.C. 1325(a)(5)(B)(i)(I)(bb), Santander shall retain its lien on the vehicle until it has been paid in full through the plan, the debtor completes the plan and receives a discharge.

Certificate of Notice Page 3 of 3
United States Bankruptcy Court
District of New Jersey

In re:
 Sandra Smith
 Debtor

Case No. 19-10185-MBK
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
 Form ID: pdf903

Page 1 of 1
 Total Noticed: 1

Date Rcvd: May 20, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 22, 2019.

db +Sandra Smith, 1552 Pacific Avenue, Beachwood, NJ 08722-4218

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
 NONE.

TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: May 22, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 20, 2019 at the address(es) listed below:

Albert Russo docs@russotrustee.com

Denise E. Carlon on behalf of Creditor Global Lending Services, LLC dcarlon@kmllawgroup.com, bkgroup@kmllawgroup.com

John R. Morton, Jr. on behalf of Creditor Santander Consumer USA Inc. ecfmail@mortoncraig.com, mortoncraigecf@gmail.com

Rebecca Ann Solarz on behalf of Creditor Global Lending Services, LLC rsolarz@kmllawgroup.com U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

William H. Oliver, Jr. on behalf of Debtor Sandra Smith bkwaliver@aol.com, R59915@notify.bestcase.com

TOTAL: 6